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REMARKS

At the outset, the applicants' representative wishes to thank Examiner Miller for his courtesy and helpfulness during the telephone interview of January 22, 2004. The fee for a two-month extension of time may be charged to the assignee's Deposit Account 23-1209.

Claims 1-11, 13-2426-37 and 39 were rejected as being anticipated by Otsuka. Reconsideration and withdrawal of these rejections are respectfully requested, for the following reasons.

As agreed during the telephone interview, the independent claims have been amended to recite that the leading air bearing region and the at least one insular region define a radius of curvature. Although during the interview it was agreed that the claims would be amended to read: "the leading air bearing surface and the at least one insular region define a radius of curvature", the claims are amended herewith to more accurately read "the leading air bearing region and the at least one insular region define a radius of curvature". The underlined word region has been substituted for the word "surface" in the amendment to the claims presented herewith. Indeed, it is the air bearing region 302 and the at least one insular regions 306 that define the claimed radius of curvature - and the amendment to the claims presented herewith is in accord with the substantive agreement reached during the interview. The claimed radius of curvature formed by the air bearing region 302 and the insular region(s) 306 is most clearly shown, for example, in Figs. 3B and 4B of the present application. Indeed, in the claimed inventions, the leading air bearing region and the insular region(s) together define a (i.e., single) radius of curvature. The limitation added to each of the independent claims, as was agreed during the interview, distinguishes the claimed inventions from the applied Otsuka reference.

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Indeed, examination of the Otsuka reference (see, for example, Fig. 2 of Otsuka) makes it clear that the protuberance 17 and the leading side 10a of the slider do not define a radius of curvature.

As discussed during the interview, it is clear from Otsuka that the protuberance 17 protrudes above every other surface on the slider and does not define a radius of curvature with the leading side 10a of the slider. In view of the amendments to the independent claims, dependent claims 8, 21 and 34 are canceled herewith. Reconsideration and withdrawal of the above-applied rejection is believed, therefore, to be warranted.

The present amendment is believed to be properly enterable after final rejection for the following reasons. At the outset, the present amendment places this case in condition for allowance, as the cited reference is not believed to teach or to suggest the recited structures defined by the amended independent claims, as developed above. Moreover, the nature of the amendments to the independent claims of the present application is such that no further search is required. Indeed, the originally filed and fully searched claims included recitations drawn to the recited radius of curvature, and the present amendment only defines this radius of curvature in more precise and unambiguous terms. Thus, all of the structure recited in the amended independent claims has been fully searched by the Examiner. Of course, the Examiner may wish to perform an updated search prior to allowing this application. However, such a search is not necessitated by the nature of the amendments to the independent claims presented herewith. Indeed, any further consideration that might be required is believed to be *de minimis*, as the present amendment is believed to place this application in condition for allowance without consideration of any new issues and/or subject matter. Support for the amendments to the independent claims may be found in originally filed Figs. 3B and 4B (and other figures) and the

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related description thereof in the specification of the present application. Therefore, the amendments to the independent claims are believed to be such as to merit allowance of this application without requiring the applicant to expend additional fees to refile and re-prosecute this application.

It is believed that the present amendment places this application in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any further questions regarding this amendment or the application in general, she need only call the undersigned, and whatever is needed will be done at once.

Respectfully submitted,

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